

EXHIBIT A-3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

DIVISION 80, LLC

Plaintiffs,

v.

No. 3:22-CV-00148

MERRICK GARLAND, in his official capacity as Attorney General of the United States, *et al.*,

Defendants.

DECLARATION OF ADRIAN Z. DIAZ IN SUPPORT OF AMICUS BRIEF FOR MAJOR CITIES AND PROSECUTORS AGAINST GUN VIOLENCE

I, Adrian Z. Diaz hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am the Interim Chief of Police for the Seattle Police Department (SPD) and have been in this position for approximately twenty-three months. I have personal knowledge of the facts set forth below except for those stated on information and belief. If called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. In my role as Interim Chief, I am responsible for the overall leadership of SPD, setting policies and priorities for public safety management and crime prevention, and overseeing SPD's taskforce partnerships with federal law enforcement agencies. As part of my duties, I am responsible for reporting to the Mayor, City Council, State representatives, and numerous national professional practice organizations (including Major Cities Chiefs

Association, International Association of Chiefs of Police, and the Police Executive Research Forum) SPD data pertaining to all forms of public safety matters.

3. As part of its regular operations, SPD maintains records of firearms collected in connection with an arrest, execution of a search warrant, or any other related law enforcement activity. SPD also maintains records of firearms that are surrendered, forfeited, or found.

4. Included in these records are data relating to self-made, unserialized “ghost guns,” which are defined by SPD as “firearms personally made or modified by an individual that have no serial number which makes them undetectable by law enforcement.”

5. From May 2019, when SPD first began tracking ghost guns, through May 2022, ghost guns account for 83 of the 3,493 firearms taken into SPD’s custody.

6. While ghost guns are a small percentage of all gun seizures, the rate of seizure of ghost guns is growing at a concerning rate. Specifically, year to date, the percentage of ghost gun recoveries has more than tripled, proportionally, since 2020.

7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: July 6, 2022
Seattle, Washington

Respectfully Submitted,



Adrian Z. Diaz